

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO. 2556 OF 2004

1. Imtiaz Akbarali Porbunderwalla,
2. Zakaria Mohammad Khan,
3. Smt.Fatima Mohammad Khan,
4. Ahmed Mohammad Khan,
5. Smt.Aisha Imtiaz Porbunderwalla. ...Petitioners
V/s.
The State of Maharashtra & Anr. ...Respondents

Smt.Satapura Banerjee for Petitioners no.1 to 4.
Ms.Rajeshree M. Gadhavi, APP for the State.

CORAM : V.M. KANADE, J.

DATED : MARCH 2, 2006

P.C. :-

. For the reasons separately recorded, the Criminal writ petition is partly allowed. The complaint filed against petitioner nos.1 and 5 is quashed and set aside being Criminal Case No.662/2004 in C.R.No.I/85/04 pending on the file of Judicial Magistrate, First Class, CBD Belapur, Navi Mumbai. The Criminal Writ Petition is rejected so far as petitioner nos.2 and 3 are concerned. Petitioner no.4 is reported to have committed suicide and died during the pendency of the petition. The criminal proceedings against him, therefore, abates. The Magistrate is directed to decide the case on merits and in accordance with law, as expeditiously as possible, qua the petitioner nos.2 and 3.

(V.M. Kanade, J.)